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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/914,479	08/28/2001	Hans Ekholm	P/137-243	8055
2352	7590	10/03/2003		
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403				
			EXAMINER	
			CHIN, RANDALL E	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/914,479

Applicant(s)

EKHOLM, HANS

Examiner

Randall Chin

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 13-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19-34 is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: The recitation on p.5, line 19, the phrase "possibly in the form" should be amended to be set forth in a more positive fashion. On p.6, line 23, "7,1" should read --7.1--.

Appropriate correction is required.

2. Claim 13, line 16, the phrase "and inserting attachment" should be clarified. Claim 13, line 6, a semi-colon should be inserted at the end of the line. Claim 14, line 3, it appears the "hole" should be the --through-hole-- for consistency. Also, there should be clarity and consistency between "a threaded attachment element" (claim 14, line 3) and "attachment element" (claim 13, line 16). Claim 14, line 4, consistent terminology should be used with respect to "the threaded hole formed". Note claim 13 refers to "holes" and not just a single hole. Claim 18 appears to be redundant of claim 13, particularly, that recited on lines 3-6 referring to defining a cylindrical drum shape.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 13, 14, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Belanger '014.

The patent to Belanger '014 teaches an assembled hub or drum assembly 12 in Figs. 9 and 10 which has been assembled in accordance with the method steps set forth in claims 13 and 14. Particularly, Belanger '014 teaches a plurality of arcuate segments 55 which are joined together to form an axle thread brush roller (see col. 7, lines 22-29), the method comprising providing these axially extending segments which when assembled together, define a cylindrical drum shape (Figs. 9 and 10) wherein each segment has opposite first and second segment ends with respect to a rotation direction of the drum, a first flange or shoulder 59 projecting from the first segment end and a second flange or shoulder 60 projecting from the second segment end, each shoulder 59, 60 having a respective outward shoulder end with respect to the rotation direction of the drum., and arranging the segments so that the outward shoulder end of each shoulder at each end of a respective segment engages the segment end of the adjacent segment for bringing the segments into alignment around the drum (best demonstrated viewing Fig. 10), and so that adjacent first and second shoulders of adjacent segments receive a threaded attachment element 75 for attaching the adjacent first and second shoulders, passing a through-hole (shown in Fig. 10 as the holes in flanges 59, 60) in a direction into the drum through the first and second shoulders

As for claim 17, Fig. 10 clearly shows the claimed arrangement of the first and second shoulders at each end of each segment along with corresponding radially outward surfaces and radially inward surfaces of the shoulders in engagement.

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With respect to claim 18, the plurality of segments 55 with respective first and second shoulders at the ends are so-shaped and curved and of such number (four) that the segments are assembled to define a "cylindrical drum" as shown in Figs. 9 and 10.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Belanger '014.

As for claim 15, Belanger '014 clearly shows a plurality of through-holes defined in the shoulders at the ends of each of the arcuate segments in Fig. 10. With respect to these through-holes being arranged in the axial direction of the drum, it is noted that Fig. 9 of Belanger '014 shows five small round circles which would appear to be the threaded attachments 75 in plan view along the axial direction of the drum. Belanger '014, however, is not explicit as to exactly what these small circles are. In any event, it is the Examiner's position that it would have been obvious to one of ordinary skill in the art to have provided the plurality of through-holes arranged along the axial direction of the drum in order to more adequately secure the arcuate segments together to form a stable, rigid drum configuration.

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As for claim 16, note the embodiment of Fig. 2 of Belanger '014 shows the drum's opposite axial ends having a plate 45 applied thereto with a respective shaft end 13, 13 projecting outwardly therefrom. Such an arrangement could well be incorporated into the Fig. 9 and 10 embodiment, if not already contained in that embodiment, in order to close the ends of the drum.

***Allowable Subject Matter***

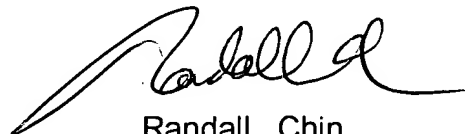
7. Claims 19-34 are allowed.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randall Chin whose telephone number is (703) 308-1613. The examiner can normally be reached on Monday through Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on (703) 308-2920. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

  
R. Chin

  
Randall Chin  
Primary Examiner  
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